

REMARKS

This Amendment is being filed in response to the Office Action mailed August 5, 2009, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 9-51 are pending in the Application where claims 9, 27, and 40 are independent.

In the Office Action, claims 9-26 are rejected under 35 U.S.C. §101. This rejection is respectfully traversed. However, to advance prosecution, claim 9 has been amended to better recite statutory subject matter. It is respectfully submitted that this rejection of claims 9-26 has been overcome. Accordingly, withdrawal of this rejection is respectfully requested.

In the Office Action, the drawings are objected to as failing to show the unconditional GOTO command. In response the Examiner's attention is directed, for example, to claim 13. That claim states that where there are no conditional instructions, an unconditional GOTO command is provided. This is done to allow the Command List to branch, as in the case where the conditional commands are

present to achieve branching 35, 36, and 37 of FIG 9. Accordingly, it is respectfully submitted that the drawing objection is overcome and withdrawal of this objection is respectfully requested.

In the Office Action, claims 9-51 are rejected under 35 U.S.C. §102(b) or §103(a) over WO 98/09290 (David). Applicant respectfully traverses and submits that 9-51, as amended, are patentable over David for at least the following reasons.

David is directed to an apparatus for reproducing audio/video information stored on a record carrier. As described on page 1, lines 12-15, control data are organized in a playback control mechanism which comprises at least two control structures. The first structure defines play items of audio/video data that are playable in sequence and a second structure defines branching in the sequence of play items upon user input control. As described on page 2, line 18 and lines 31-34, the first structure comprises a play list per single play item to simplify branching, where the play list needs just to include one single offset data to find each time the list to execute a previous, Next or Return function.

It is respectfully submitted that David does not disclose or suggest the present invention as recited in independent claim 9,

and similarly recited in independent claims 27 and 40 which, amongst other patentable elements, recites (illustrative emphasis provided):

wherein the variable data comprises at least one instruction including an operation code indicating a type of operation to be performed, a condition code, a type of calculation and operands, wherein the operation is to be executed if the condition code has first second and third values and at least one of respective first, second and third conditions are met, and wherein the operation is executed unconditionally if the condition code has a fourth value so that the operation is performed by execution of the at least one instruction without jumps and with reduced number of commands, and wherein the operation is adapted to be performed in conjunction with at least one of said operands.

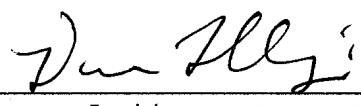
David does not even disclose or suggest condition codes with four values, let alone disclose or suggest condition the particular features noted above. Accordingly, it is respectfully requested that independent claims 9, 27 and 40 be allowed. In addition, it is respectfully submitted that claims 10-26, 28-39 and 41-51 should also be allowed at least based on their dependence from independent claims 9, 27 and 40 as well as their individually patentable elements. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the

foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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